









Native visit us, but bring no fish, they do no  
fishing; my lot and legs are swelling very  
much, but so weak that I cannot walk more  
than 200 paces without resting. 23rd. Went  
out at five. 24th. The natives took  
all day. 25th. Went out with them. 25th.  
Went all day; could not get a fire to cook our  
meat till evening. 26th. Natives visit us to-day  
and bring a large blue tongued lizard, with  
a few pieces of turtle; and some of the  
old men, and some of the young ones, which we roasted  
and eat, there being no fish on the old ones  
but on the tail. 27th. Wall and Niblett are both  
very ill, neither of them can get up; about  
twenty natives visit us to-day. 28th. Went  
out at five. 29th. Niblett and Wall died this  
morning; the natives came this morning about  
11 o'clock, about eighty of them well armed with  
spears, and many of them with bows and  
arrows; but they brought but a few of us; they  
well knew that Wall and Niblett could not  
resist them; Goddard and me stood near the  
tent with two guns and three brace of pistols  
loaded and capped. They came in a  
company, many more than twenty yards  
from us; they had fish with them, and tried  
to entice us away after them; two of them  
who had been in the habit of frequently  
visiting, and who were very friendly to us,  
down by our side; they kept us this way for  
about two hours, when I fell down from weak-  
ness; I found that we must send them away;  
we presented our guns at them, and they  
saw that we were serious, and were turned  
about a short space. 30th. Goddard went into the  
scrub about 200 yards, and sat under a tree,  
and shot three pigeons; we eat one and saved  
the other two till the morning. 31st. Went  
out at five. 1st. Went out at five, and shot  
two pigeons; early this morning, we both fell  
very ill this morning, each of us boiled a quantity  
of water with our tea leaves, as we saved the  
leaves of the little tea tree had, and drank it.  
2nd. Went out at five, and shot a scrub pigeon,  
and got two or three pigeons, and if the  
natives made their appearance, I was to fire a  
pistol to call them back; about an hour after  
they came, and I fired a pistol, and they  
came towards me; I fired a pistol immedi-  
ately, but before Goddard could get back  
away was into the camp, and handed me  
the other two pigeons, and they did not  
show us in their manner that there was  
any more to be had; I was directed to  
send the boys; it proved to be a note to  
Captain Dobson, but I could only  
read one of it, it was so covered with dirt  
and was so much mixed with the dirt, that  
from the hope of being relieved from our  
miserable condition; I made them some  
present, and wrote a note to Captain Dobson  
on a piece of paper, and sent them, and they  
understand what I wanted, but I soon  
saw that they had other intentions; I saw  
great number of natives coming from all  
directions, well armed; I could see a strange  
figure, and I fired a pistol, and they  
did not put him in; I saw him pull off  
and pick up his spears; we were expecting  
every minute to be attacked by these  
franklinian natives, when I saw a  
Captain Dobson, Dr. Vallack, Jockey, (the  
black that left us to go with Mr. K. and  
others), and any other man who had received  
their arms in his arm, so that he could offer  
them; I fired a pistol, and they did not  
come; three men had risked their own lives  
coming about three miles through the man-  
grove and scrub, (surrounded by not less than  
500 natives, all well armed), and were  
serving some of us from starving. Goddard was  
able to walk to the ship, but was not;  
could not walk without being supported; par-  
tially of the distance I had to be carried; it was  
a little difficulty we were not to  
ship safe.

The following information I obtained from Jackey:— They reached Shick-  
hock Bay about three weeks after leaving  
W. Albany, and did not see any Indians  
there, and a great deal of scrub-oak through-  
out one horse about a week after they left it  
and another was buggy (and could not be get-  
ting out) in a salt water creek at Shick-  
hock Bay, and not accordingly said himself was  
very bad from loss of blood, and Luff was  
ill; Mr. E. resolved to leave Dunn with him-  
self and one horse for provisions, and Jackey and  
Luff went on to the river, and after about  
two more horses before they arrived at Kappa-  
hock Bay; when they arrived at the river the  
blacks came upon them; it being very wet  
their arms were not in good order, the  
blacks were not very numerous, but they  
showed three spears quite thrust in his body.  
Jackey had one which did not hurt him much.  
Jackey stayed with Mr. Kennedy about a  
week, and then he and Luff went on, and  
tried to carry his saddle-bags, (containing  
some St. Joseph's C.), with him to  
St. Albany, but could not, he being  
too weak, he left his horse at 12 miles  
from Albany on the 23rd December.  
The natives on the coast, from Lat. 12 to Cape  
York, are much more dangerous and numerous than  
they are from Rookingham Bay to  
St. Joseph's Bay, and the natives at  
Weymouth Bay had seen as about  
hundreds of men, and four or five  
hawks, made them fear our gun-  
boats. I find it was the Breeze which passed Wey-  
mouth Bay on the 1st of January, 1822.  
There is a native village that no one should  
have seen either the rockets or the flag (the  
latter being up all the time of the vessel's  
passing the Bay), which was not the least dis-  
turbance to the natives, and the natives of  
the Bay. My specimens and seeds, numbered  
by 253 species, were the greater part spoiled  
by being so often torn off the horse into the  
water, and the seeds of the plants were  
spoiled by being so often torn off the horse into  
the water. Weymouth Bay could not be kept  
dry. One parcel, containing 87 species, I had  
managed to keep dry in a small box, I was  
happy to say is brought on board, as it contains  
seeds of the plants of the Bay, and I  
have no doubt never described. Captain  
Deane and Dr. Valleck brought from the

camp as much as it was possible for them to carry with their firearms, being obliged to ask me to tie the vessel from my weak state to the shore, so as to prevent its being blown away without falling. Jackey informs me that he hid Mr. K.'s Journal, and the map upon which his route was traced, in a log between Escapade River and Port Albany.

We had very little means of preserving any of the things we were in the camp; we had not strength to bury the two last men who died; we covered them with a few bushes; Mr. Kennedy & I all that could be done to save the bodies, and private property. The natives camp on the hill was very conspicuous, and commanded a view of the bay; cannot account for the schooner that came into the bay not seeing them; hoisted a large white flag on the hill, and a small flag on the shore, and continued to shoot right of clock; the vessel stood close in, that I could see the boat lowers from her without a glass; Mr. Kennedy left the direction to visit a flag on the appearance of the vessel, but did not fire; the vessel fired a signal fire; I lighted a fire on the hill. I believe the provisions were wasted, and false reports made by Niblack. I took charge of the men returned on the 14th August; the six men who have been in the boat, and have not returned, made out day by day; my original journals and specimens I was unable to bring from the

William Goddard, sworn: I am one of the party that accompanied John A. Kennedy to the country where the scruboaks grow, beside the party consisted of twelve persons, besides Mr. Kennedy, including the above-named John A. Kennedy, when they arrived at Hocking River, the nature of the country was as follows: Mr. Kennedy, Charles Niblett, Thomas Wall, William Carson, James Law, William Costen, Thomas Mitchell, Edward Carpenter, John Miller, John H. Miller, John A. Kennedy, William Goddard, and Jackey Jay; after landing at Hockingham Bay, the party pursued their expedition; the country turned out to be a scruboak country, the scruboaks were so thick that we were obliged to leave all our drays and many other things behind, and pack our horses; the scruboaks burned about seven weeks; we started on the 10th of October, and after traveling about a week when we got into the clear country; the scruboaks of four were then reduced to one-half (about one per week); the sheep also diminished in number, being reduced to one-half of the number in the scruboaks; we were on shore six weeks; we had hitherto been going on to the southward and westward; not being able to get to the northward, we then went up to the forest land we made a little detour northward and westward; the country was very fertile at intervals; Mr. Kennedy tried to grow corn and wheat, but it did not grow; we left Bay, but we got on to the open plains where

we could get no water, and after our course to the west, we turned to the plain southward; up: one horse was down. Starting, early next day, we traveled in early part of the morning, two knocked up; then only two or three sheep left; the men about the time knocked up. Mr. Kennedy, Carpenter, and myself, travel on foot, and Mr. Kennedy's horses and walked himself; they were from want of food and fatigue; and we were how long it took us to reach Weymouth Bay. Lloyd's party, consisting of fifteen horses, when we arrived at Weymouth Bay we had one sheep left, sixty lbs. of flour, one lb. tea, no sugar; we had no salt. Mr. Kennedy, Carpenter, and myself, Weymouth Bay four of the party were knocked up; Taylor, Douglas, and Carpenter were unable to walk at all; we arrived at Weymouth Bay on the 11th or 12th November; we camped on the beach, and after a short rest, we went miles from the sea shore; when we got to Weymouth Bay Mr. Kennedy proposed that eight of us should remain behind at Weymouth Bay, including the three that were sick. Mr. Kennedy, Carpenter, and myself, were to send them relief; he expecting to send a vessel there: Mr. Kennedy, when he left the camp, took with him Luff, Costigan, Dunn, and Jacky Jacky, (five in all); this was the last I saw of him. We were left with the camp and two horses which had been knocked up, and about twenty-eight pounds of flour, with a little tea to live on: the sheep having been killed on the day Mr. Kennedy left, and the animals were afterwards, Kennedy left we put ourselves on a daily allowance of provisions: Mr. Kennedy served the allowance; we had about a lb. of flour, and a few sticks of the flint, and a little tea, and four or five weeks. Mr. Kennedy appointed Mr. Carron to be the provisions, which were originally under the charge of Mr. Niblett: when the rations were first received, we were all well, but after a few days Mr. Kennedy was distressed with the quantity left, and the men asked for them to be put in charge of Mr. Carron, which was done; after Mr. Kennedy left Weymouth Bay we occurred a few days after, and Mitchell about nine days after, and Douglas died about three days after; Mr. Kennedy died on Wednesday, three days after Mr. Kennedy left; Taylor died on the following Sunday; Carpenter died about seven days after, and Mitchell about nine days after, and Douglas died about three days after, and set down by the creek, and died there about the 27th December; Niblett and Wall died in the gnyahua where they slept; the men did not seem to suffer pain, but withered away, and died, and were buried, and after utter exhaustion; Carron and myself were the only ones that on one occasion were able to go to the beach and catch fish; the rest were unable, and we only used their arms except Carron and myself. We were rescued about three days after Mr. Niblett and Wall died; about three days after the first three died, and the only one to bury them; Mitchell we sunk into a deep water-hole, close where he died. Niblett and Wall we could not bury. We had no provisions except what I had shot that morning. Just as we came to the camp with them the blacks brought up a note from Captain Dobson. The blacks were very numerous about the camp all day, and we were not allowed to go out, but none of our party were hurt. They came the first day we camped there, when Mr. Kennedy was with us, but were not hostile. The day after Mr. Kennedy left they came to the camp, and we were not allowed to go out of present, but as soon as it was taken from them they began to pilfer from the camp; we had to fire among them on several occasions; none of our party were injured, we never heard of them again. They were not hostile, except once, when they indicated by signs that five horses had gone to the northward; we only preserved a few fire arms and one or two instruments from the camp; I believe that the only reason for our preservation of the party was done by Mr. Kennedy, after we got out of the scrub, there was some first country between that and Lloyd's Bay, and the horses were not in the prescriptive banks, which it was difficult to follow, and to lower the horses down to them.

Adolph Nilsen, sworn : I proceeded on the 2nd October last in the Arzel schooner to Port Albany, under the directions of the Government, for the purpose of joining Mr. Kennedy at Port Phillip, where he was expected to arrive, for the purpose of prosecuting his expedition ; arrived at Port Albany on the 27th October, and remained there without any intelligence from Mr. Kennedy until the 28th December, or the 29th December, about 6 o'clock in the morning, we observed a native black, in a shirt and trousers, making a signal with a handkerchief on a stick, which induced some of the crew of the Arzel, go ashore thinking it might be one of Mr. Kennedy's party; on the boat returning to the schooner, the native turned out to be Jackey Jackey, the native whom we met with Mr. Kennedy; on this day the natives of the Arzel were absent from Jackey Jackey ; the greater part was taken down that day and the following, and the rest during the voyage to Sydney ; it is nearly as impossible for the natives to find a black ; it is taken down in its own habitation ; I believe it to be a true statement, from many circumstances that after came into my knowledge.

[The following statement was inserted as an official record of the evidence given by me to reprint it, to render the report of this enquiry complete.]

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the following morning, I went a good way, covered round a great bay, and a narrow, and got a good way by sunset; the next morning I went and saw a very large tract of blackberry swamp, sandy ground; then I took to a very large river, and a large lagoon; plenty of alligators in the lagoon, about ten miles from Port Albany. I now got into the ridges of Albany Island; then next morning at four o'clock, I went on as hard as I could go all the way down, over fine clear ground, fine iron ore, and a few small hills, and then I came round the point (the line was towards Cape York, north of Albany Island) and went on and followed a creek down, and went on top of a small hill and saw Cape York. I knew it was Cape York, because the sand there was black; I sat down then the second day; I said to myself this is Port Albany, I believe inside somewhere; Mr. Kennedy also told me that it was Port Albany, and I was sure that I went on a little way and saw the ship and met; I met close up here two black gins and two good many picannies; one said to me "I have seen a ship, I asked her eggs, and she gave me turtles' eggs, and I gave her some burning glass; she pointed at the ship which I saw seen before; I was very frightened of seeing the ship, men all the way, and when I saw the ship, she was coming, and my merry glad when the boat came for me.

After having obtained this statement from Jackey, I instructed Captain D'Obson to proceed with all despatch with the schooner to Shelbourne Bay, in the hope that the purpose of rescuing the survivors of the parties left there, if any. On the 24th December we set sail with a light breeze, and anchored in a cove about five miles south of Cape Shewell; the schooner, the "Hesperus," came on at a quarter before ten o'clock a.m.; we fell in with a canoe, with three natives, about half past five, and were recognised by Jackey as being the parties who attacked and killed Mr. Kennedy; one was particularly pointed out by Jackey as having appeared Mr. Kennedy; he was secured on board, and the two others, being recognised by Jackey, immediately jumped from the canoe into the sea; we found in the canoe many articles identified by Jackey as having belonged to Mr. Kennedy's party; after eight o'clock we anchored in Hannibal Bay, and proceeded on the following morning for Shelbourne Bay, where we anchored, being opposite the hill described by Jackey, near which three men, Castrog, Luff, and Dunn, were left on the 23rd inst. On the 25th inst. we left on the following morning, I went in company with Captain D'Obson, one sailor—Tom— and Barrett, the shepherd, who volunteered to accompany camp, Jackey being our guide; on landing at the camp, we were informed, which was pronounced by Jackey to belong to one of the three men; we were occupied during the day in walking in the direction of the beach, and at night about six miles from the interior, Jackey ascended a tree, and on coming down pronounced it impossible to survive at the camp until the next day. On this information the captain and sailors objected to proceed, and Jackey, being very anxious to save our anchors, and only two men left on board. Considering there were eight souls in another direction depending upon our exertions to save their lives, and the risk attending the attempt, I thought it better we should all return to the vessel with the captain and proceed to enquire about the rest remaining at the camp. On the 26th inst. we left the vessel at noon, and on the 27th anchored at three o'clock p.m. in Weymouth Bay, opposite to the hill I had pointed out, by Jackey as being near the camp where the three men were left. As it was impossible, the weight of anchor and stood as near in shore as possible, and the captain, Jackey, Barrett, and myself, proceeded by Jackey's instructions to the camp about three miles from the coast. On reaching the camp, we found that only the only survivors of the eight, whom we took on board in a state of great exhaustion; so much so that, for some time afterwards I was unable to move, either would survive. I found it now hopeless to attempt to gather strength from the vessel for the purpose of finding the camp in Shelbourne Bay, where the three men were left— all the natives refusing to go with us, and the natives who arrived the following morning we set sail for Sydney; on the 11th January, the wreck, which we had secured, jumped overboard in the night, when the vessel was about nine miles from Cape Bedford. I was informed that the natives had taken away any of the party at all, but that they were in Shelbourne Bay. In the canoe we fell in with in Shelbourne Bay there was a cloak; in the canoe off the beach, we found Mr. Cullen and a pair of trousers in which he had been killed. Kennedy—part of the iron of a saddle, and the native we took had the portion of a bridle round his arm, and the sinew of the leg of a horse, which he had cut from the saddle in the canoe was shot, the others jumped overboard and swam ashore. While we were securing the natives had taken out of the canoe, the natives again jumped into the canoe, and we were obliged to fire at them, and anxious to secure the canoe, we sent a boat nearer them; when one of the natives threw a spear which struck a seaman named Barrett in the chest, and he fell dead and also the other two. We then secured the canoe and found in it a basket containing the piece of the trousers, the piece of a saddle, and also some blankets, which Jackey described as being the canoe of the party of Mr. Kennedy. The natives near the canoe were killed. The piece of new produced, and the strap of the bridle, were round the neck of the canoe. The natives we captured; one of the natives was killed, and the others, discouraging to rescue the survivors, and because of the cloak produced was found in the canoe at Shelbourne Bay; Jackey and Barrett were the only ones who remained in the canoe at the time. One of the natives belonging to the three men who were taken to the camp by Jackey; Jackey described the camp at Shelbourne Bay to be four or five miles from the beach, but having gone into the interior about six miles, he was unable to find it, and it was impossible to get to the camp that day. When we first arrived at Shelbourne Bay we saw some natives on the beach, amongst whom our guides, the recognised articles of clothing; on the 25th inst. we saw a native on the beach, who was seen to fly native on the beach.

Wm. Deane, master of the *Arcturion*, was sworn: Proceeded on the 2nd October last to Port Albany, to meet Mr. Kennedy's exploring party, and to supply it with provisions; we were warmly received by the natives, who were friendly and remained till the 27th of October; when in consequence of a signal I went on shore, and learnt from Jackey Jackey the death of Mr. Kennedy, and the unfortunate expedition on which he had embarked. On these informations we were preparations to depart the next day we weighed anchor and sailed to Shelbourne Bay; Jackey informed us that Pudding-pan Hill, between Albany Point and the Bay of Jackey's bay, where Mr. Kennedy had left the three men, was on pudding-pan; Jackey said it was not there, but on a hill like it further down; on arriving at Shelbourne Bay Jackey recognised the hill; we landed on the shore, and found, for the natives had gone, and went inland, but could not go through the scrub; we came back to the beach and found a canoe, with the cloak pressed in it; on the afternoon previous I thought I saw two natives on the beach, with their cloaks or baidarra on their backs; I went further on, and landed again, and went about six miles inland, but Jackey would not cross the track Mr. Kennedy had taken, as he recognised the hills there the camp was near, and might reach it by the same track. At starting Jackey it would not take us long, and we took no food with us. After consultation we agreed to return to the vessel, leaving, from the cloak on the natives, that we had been deceived. We then returned by our way to Weymouth Bay, and reached Mr. Carron and Goddard. We brought with us the instruments we could from the camp; but they are not many as Mr. Carron was not fully equipped. We then returned, when consulted and determined to come on at once to Sydney, as from what Jackey told us was thought useless to return to look for the men at Shelbourne Bay. I should have related that we were informed by the natives of every thing, but for the hostility of the natives.

he surrounded by his great numbers, and as they were left the group rifled in the brush. "My brother Jackey, an aboriginal native," stated, that he was the servant of Mr. Kennedy; the piece was a pair of trousers produced, were the trousers Mr. Kennedy had on when I buried him; the sinew produced is a piece of a horse; the iron piece of a saddle; the leather a piece of a horse's harness. The natives at the Escape River, the Mak I believe belonged to one of the three men I think at Shelbourne Bay by Mr. Kennedy; they were killed by the black fellows. A man who was shot was very nearly dead when I left him; his rib was broken; one of his legs was very bad; the other was left to the care of him; Mr. Kennedy left them to be eaten to eat.

Nile was the whole of the evidence taken, the notes of which will be submitted to the attorney-general, and by him to the Government. It would appear that as far as earnestness of purpose, unshrinking endurance of pain and fatigue, and most disinterested self-sacrifice, the gallant leader of the party exhibited a model for his subordinates. But the great fault of the expedition, the error at the outset of the expedition, so severely affected the resources of the adventurers, that they sank under an accumulation of suffering, which have rarely, if ever been equalled, in the most extreme perils of the wilderness.

**LICENSING SESSIONS.**  
MEETING of the magistrates was called for 10 o'clock this morning for the purpose of taking into consideration fourteen applications made for transfers of three for special, and one for a confectioner's license. Theeting was called with "open doors." The meeting was called under the provision the 27th section of the Act 2 Viet., No. 18, which empowers the justices of the peace, Mr. Mayor, Mr. Moore, Mr. Smart, Captain Moriarty, and Captain McLean. The last named gentleman at the Police Office before the sessions commenced. Mr. Smart retired - shortly after it did so, at which time Captain Moriarty arrived. Mr. Moore was present throughout

proceedings, as the business was about to commence, rose and stated he was desirous of following the course the magistrates present would adopt as to the manner in which this meeting was to be held, whether or not with the aid of the H. C. He then called upon the speaker to make some observations regarding the proposed Meeting last held. Prior to that occasion he had been officially informed by the Government that its proper officers had been advised by the Special Licenses then sanctioned and had not been asked to attend. He stated a justice of the peace present, a majority of the magistrates present. A petition having been presented to him by the applicants, setting forth the injuries they had sustained, and asking that the licenses be granted, he was sustaining their license, and telling they had been most unjustly used, he then surmised the principle which actuated him, in reference to meetings of this character, was that with the Government, he had subsequently wrote to the Government, requesting to be informed who the duly qualified justices were. To this communication the Government had then been unable, - had refused, or declined to return an answer. He was obliged by the Government to obtain through obtaining the names of the qualified justices he might be in a position of knowing who were and who were not authorised to act in these sessions. Until he received an answer from the Government, he was obliged to be contented acting as a Licensing Justice, although he would take his place and maintain as he always did his position, but would not preside with closed doors. He intended to act as he had acted in the past, and he thought he was entitled to him he should be in England

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Dr. Mota : As the observations made by his friends were likely to obtain publicity, he had no objection to the Government's communication to the Government for the names of the qualified magistrates unnecessary, and that the office of magistrate being a desirable one, it should be left to the consideration of the magistrates whether or no they were qualified, and did not think any individual would come and advocate their own case. He was favourable to open doors, but thought that there were cases where the Government should be allowed to select, and being so best confined to the magistrates and to the parties themselves, who could be called in and informed of the results of the refusal. This was preferable to the Government being criticised for not being considered a fair trial in a community like that of this colony. He repeated, he held the last asset of the Government unnecessary, and he did not think any magistrate would presume to come and sit at a session that was not qualified.

Smart here left the room, and Captain Jarty entered and took his seat.]

THE MAYOR repeated, he knew a gentleman acted at a Licensing Session, who was qualified to do so. His belief was, the argument could not answer his letter. By the open court, if a magistrate infringed on the law, he became open to its penalties. If he held a new return, and in doing so, no injury accrued, as only the transfers could from being no majority present be considered.

Worship then left the Session room, and Moir took the chair and with Captain Moir sanctioned the following treasury.

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**ABSTRACT OF SALES BY AUCTION.**

**J. R. RICHARDS.**—At his Rooms, at 11 o'clock, Drapery and Silks; at half-past 11 o'clock, French Cashmere Scarfs, Bonnet Ribbons, Black Silk Gumps and Fringes, and Fancy Goods.

**J. STEWART.**—At the Cattle Market, at 11 o'clock, Young Horses and Mares.

**J. MORT.**—At the Residence of Mr. Butterfield, Cumberland place, at 11 o'clock, Teas-wood Furniture.

**G. G. PICKERING.**—At his Rooms, 223, Pitt-street, at 11 o'clock, Haberdashery, Cloths, Shawls, and Broadcloths.

**COURT OF RECAPT.—**No. 103 will be the

was called on at ten o'clock this morning by the NEW SOUTH HEAD TOLLS.—A notice of some importance to the leasee of the Head Toll Bars recently received was read by the solicitor, Mr. J. W. G. de la Motte, and the information was given by Mr. George Preddy, the leasee of the tolls of the Old St. John's Head Road against—Barton, 10 William IV. 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 William IV. No. 12, sec. 21, in writing, on the 16th of January last, evaded the payment of a toll by leaving the toll-bar open, and driving the vehicle and adjacent thereto, and again coming to rest on the concern side of the turnpike-gate. The case was conducted by Mr. Nicholas for the plaintiff, and by Mr. Preddy for the defendant. It had been partly heard on a former day, and had been adjourned, to give the magistrate time to decide several legal objections raised by the defendant. Mr. Preddy's advocate, the whole of which were distinctly overruled, and the facts having been distinctly proved, Barton was fined in the mitigated sum of £100, and £1 costs, which was immediately paid.

ATAMITY.—On the man Ryan, who was a wifeless, was noticed in our last issue. He was arrested before the Court, he was ordered to be forwarded to the Lunatic Asylum for his removal to the Lunatic Asylum. He was in a DWELLING-HOUSE.—A man, who gave his name as Thomas Padlock, and who was a runaway convict, was arrested on twelve o'clock on the morning of the 10th inst. by a police constable by Mr. Samuel, a publican, Pitt and King streets, under the following circumstances:—It appeared from the evidence given by the constable, that he had been brought before the Court, that, as one of the domestics was going to bed, she was alarmed by a noise in the adjoining apartment occupied by the prisoner, and proceeded to ascertain the cause, saw the prisoner in the act of committing the crime, and the police constable, on the evidence of the circumstance, and the prisoner, who had in the mean time come down stairs, was taken to the Court, where he was ordered to sink out of the house by a railway inspector. Pearce was subsequently called on by Padlock given in charge, when, being asked to put his hand into one of the pockets of the prisoner, he produced a

very small, inserted his arm, and brought out a very small, square, black box, which he most ingeniously contrived for opening to the prisoner, and he handed it to the watchman. The prisoner made several other attempts to get the box open, but without success, and, after being afterwards secured, four large and small skeleton keys, as also a paper containing \$10.00, had, were found on him. The watchman then took the box to the principal drawer which had been broken open in Samuel's house, and the amount it contained was exactly that, and in the same coin, as was found on the prisoner. The box was remarkable and a three-penny-bit was very perceptible, as being crooked and kept for the prisoner. The prisoner had been in the hands of the watchman, and he had been throughout the evening, and been three or four times taken out of the house, and he had been making his way up stairs, when he was taken out of the house, and he was given various excuses for his proceedings, and he was taken out of the house, and he was given his coat. The noise that attracted the attention of the watchman was an attempt to open the drawer, but which fortunately was prevented. The watchman, as it contained the valuable jewelry. The watchman was retained until to-day for the evidence of Mrs. Samuel, and to afford an opportunity for the prisoner to make his statement to the Principal Superintendent. Convicted Officer. The prisoner's civil condition might be ascertained.

[illegible]

his wages, for the prosecutor's signature, the charge was dismissed.

**AN INQUEST** was held yesterday morning at the residence of Bro. J. J. Brennan, of the 1st Co. 1st Reg. N. Y. Artillery, at the corner of Adams and Windmill streets, following the death of John Ryan, then lying therein. The deceased, who it appeared about 40 years of age, and procured his death by self-cutting and drinking poison, came to Brown's house at about eleven o'clock the previous afternoon, when appeared to be quite in health, but being under intoxication, a habit which he had been addicted to for some time, he was accustomed to do, stopped for the night at Brown's, and was seen near twelve o'clock, on a box in the kitchen, and was at the door, but at six o'clock that morning found in the house, and was seen by Edward deposed to the making of a post mortem examination, and from the appearance of the heart, the position in which he had been lying, and the state of excitation in which he had been stated to be on the previous evening, his sudden death was fully accounted for. A finding was issued of death by the visitation of God.

**THE DEATH** of Bro. J. J. Brennan, at the residence of the Dailing Hotel, in the morning, on view of the body of Samuel Jones, a 17 years of age, then lying dead at the residence of his father, in the same street. The deceased had been drinking and eating freely, and had been suffering from fever, and on the previous morning (Monday), had been prescribed for by Fullerton. On retiring to rest in the evening, he stated he thought he should be better, and was not going to bed, and called for a glass of beer, and was called for another. About a quarter past one o'clock yesterday morning the inmates of the house heard a noise, but attributed it to the deceased having gone to bed to his brother, and did not go to see him, and at about two o'clock, when the noise again occurred, and the sound of a person falling down stairs, they got up, when he found him lying at the foot of the staircase, and his nose bleeding. The deceased was lying on his back, and was expired within the succeeding twenty minutes. Dr. Fullerton stated that he saw the body on Monday morning, when he was suffering under intense fever of some days, and that he had been called to see him in the evening, and gave him medicine, and himself relieved the medicine given him. Dr. F. saw the body again that (yesterday) morning, at about six o'clock, when the body was still warm, and had been dead for about twelve hours. The deceased, and found contusions on the part of the head on the right temple, and at number upon the back and loins, which no doubt the result of the fall. The body was light and warm, and in hope of deceased's recovery; the external marks of injury were not sufficient to account for death, but he (Dr. Fullerton) had hesitation in giving his opinion, as the death was evidently the result of the falling down stairs, and its immediate cause may have been concussion of the brain spinal marrow. A finding was returned of death from the effects of an accidental fall while in the act of going to bed, and the deceased was at Dr. F.'s, the Three-Tons King and Bath streets, touching the death of William Ryan, then lying dead in the Sydney Infirmary. The evidence adduced was that Bro. Brennan, who it appeared the deceased had been received into the Infirmary about two weeks previously, suffered from a gun-wound in the right hand, which was severely shattered. He went on well for about a week, when he became ill, and was taken to the Infirmary, where he died of an intermittent fever, under which he sank and died on the previous afternoon. The deceased several times stated that the wound was purely accidental, and had occurred through his having been struck by a bullet, and was taken off, and that he was at the time alone in his bed. The deceased appeared to be about years of age. A finding was returned of death from the effects of a gun-shot wound sustained in the right hand.

**PORT PHILIP.**—His Excellency the Governor has, by a proclamation in yesterday's *Argonaut* Gazette, extended the time for the return of the writ issued for the election of a Member of the Legislative Assembly for the electoral district of Port Phillip, from the 1st of March to the 2nd of March.

**ACTION TO PUNISH.**—Under this heading a paragraph appeared in Monday's *Argonaut*, stating that Mr. Maitland had been brought up on a charge before the Mayor on a charge of obtaining money under false pretences. The circumstances of the case were as follows:—That Maitland, drink it, and then said he had no money to pay for it. Mr. Worth dismissed the case, saying no false pretence, and advising the public, that he had no money to blame for letting the case go, and that he had no money to pay for it. Mr. Maitland has been incessantly taken to the hand-pick this decision involves—

ing, any device, to kind of leave and license every man does to good and honest a publican. But that this is not the case we concur in the decision of the magistracy. Although the offence does not amount to an obnoxious goods under false pretences. The Licensing Act enforces many penalties contingent with the sale of liquors, it is evident that the 6th clause sufficiently explains the offence and it is enacted That the delivery of any spirituous or other liquors as aforesaid, shall be deemed and taken to be good and sufficient, if the same be sold or delivered for the consideration being given for the same, as to support a conviction." If the serving of beer or good for supporting a conviction, it may be a sale sufficient to protect the publican in his business, but the law does not seem him no means of enforcing the prohibition he contracted for the sale of liquor. If such importer should be sent to goal, the argument of the learned counsel (see case 3), which enacts that every person who shall endeavour to impose on any private individual any false or fraudulent representation, with intent to obtain money or some other benefit, shall be deemed to be guilty of a misdemeanor, shall be punished accordingly.

**THIEVES.**—About nine o'clock on Monday night, two men being noticed by a neighbour in off with a case of tools from the shop door. Immediately thereafter, the grocer in George street was informed, and a cry for assistance was made, and the thieves pursued, when they turned into Bridge-street, where the stolen property was dropped, and the thieves escaped. About half-past nine o'clock the same evening another pane of glass was stolen out of the house of a person named Kelly, situated in Malcolm's-road, Glasgow. The robbery, however, committed at Kelly was only for a few minutes, as he had his own house in that of a next door neighbour.—Some time during the night of Tuesday a stable of a person named McIntosh, in George street, Glasgow, was broken open, removing some pailing, and a saddle was taken therefrom.

**THEFTS.**—In our list of prices for articles of commerce, at the last flower show, the prime catfisch oil was awarded to Mr. James Innes, and not to Mr. Baptist, as reported in our issue of the 10th inst.

In attention of drapers, storekeepers, and dealers in relation to Mr. Richard's extensive sale, this day, of all new and fashionable styles of  
HATS OF FURRIERS. Mr. Mann begs to direct the attention of gentlemen to Mr. Hathorndale's magnificent display of furniture, at Mr. Hathorndale's, Grosvenor-place, this day, and every day, until the 1st of November.

**ORIGINAL CORRESPONDENCE**

**JACKIE JACKIE.**  
The Editors of the *Sydney Morning Herald*,  
— You suggest that the Government  
should do something for the permanent  
support of the intrepid, the kind, the generous  
Jackie Jackie. His attention to poor Man-  
na was for him the esteem (I had nearly  
written the affection) of his countrymen. I  
am sure you have furnished him with  
his sufferings and death.  
Instead of appealing to the Government, I  
propose that a subscription of one shil-  
ling should be taken up for the personal  
benefit of this intelligent abolition-  
ist. The amount raised could be invested  
to purchase an annuity for his life,  
— Australian Mutual Provident So-  
ciety.  
— and thus an example would be set of fo-  
cusing to persons in similar circumstances.  
— I would any of your benevolent correspon-  
dents who do so, please, I feel be-  
lieve me to be, I am, Sir,  
— your obedient servant,  
— for arrangement for a Committee to under-  
take the matter.  
I am, &c.,

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some faint smudges and discoloration, characteristic of old paper. The left edge of the page is bound, showing the inner hinge and some stitching. There is no text or other markings on the page.



